

ADVISORY COMMISSION ON SPECIAL EDUCATION

April 25, 2002
MEETING MINUTES

APPROVED 5/24/02

RED LION INN HOTEL
1401 ARDEN WAY
SACRAMENTO, CA 95815

Thursday, April 25, 2002

Commission Members Present

Patty Boyle	Catherine Conrado
Catherine E. Garbacz	Karla Geller
Angela Hawkins, Chair	Janet Mangini
Barbara R. Monroe	Lawrence Siegel
Jim Woodhead	Linda Wyatt

Commission Members Absent

Allison Brightman, Vice-Chair	Patricia Flores-Charter
Shirley Kaltenborn	

Student Members Present

Kevin Verdi	Sean Rossall
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Legislative Members Absent

Charles Poochigian, Senate Member	Fran Pavley, Assembly Member
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Governor's Office, Deputy of Education K-12, Liaison Absent

Lynn Lorber

State Board of Education Liaison Absent

Robert Abernethy

Department of Education Staff Present

Dennis Kelleher, Staff Liaison	Ronald S. Kadish, Director
Yolanda Starr, Commission Secretary	State Special Schools Division

Department of Education Staff Absent

Alice Parker, Executive Secretary
Director, Special Education Division

Thursday, April 25, 2002

CALL TO ORDER

Chair Angela Hawkins called the meeting to order at 8:40 a.m., and Commissioners pledged allegiance to the flag. Roll was taken and a quorum was present.

INTRODUCTIONS/ANNOUNCEMENTS

Audience attendance included Karin O'Connor, California State Parent-Teachers Association, John Kassel, Woody Moynahan, and Patty Arvin, California Teachers Association, Sue Kawasaki, California Association of Resource Specialists and Special Education Teachers (CARS+), and Drs. Loeb and Janice Aronin, California Association of School Psychologists.

Chair Angela Hawkins thanked Dr. Loeb Aronin for his years of service to the Commission and presented him with a plaque of appreciation.

OPERATIONS & PLANNING (O&P) MEETING REPORT

The O&P meeting was held on Wednesday evening, April 24, 2002. Points of discussion were:

- Agenda changes: Thursday panel presentation: Tom Huish, Fremont Unified School District, replaced Carla Michler; Friday, Special Education Division Report: Dennis Kelleher, Staff Liaison would represent Dr. Alice Parker; Friday, Announcements: Commissioners were encouraged to contribute any information they had during this time slot.
- Quorum for Thursday meeting consisted of Commissioners Hawkins, Wyatt, Mangini, Conrado, Woodhead, Monroe, Geller and Boyle.
- Nominating Committee to report results of nominations for Chair and Vice-Chair.
- Changing days of Commission meetings to earlier in the week
- Chair Hawkins' attendance at the Partnership Commission on Special Education (Stakeholders' meeting) on May 22, 2002.
- Commission representation at the Coalition for Adequate Funding meeting, May 3, 2002.
- Commissioner Jim Woodhead would participate in a conference call on May 3, 2002 with another Coalition organization.
- Option of addressing bill letters to Legislative Committee Chairs with copy to bill's author or two identical letters to the committee chair and the author. Further discussion on Friday.
- Annual report writing would be on June 19 or 20, 2002 and request that Mary Grady, Sonoma State University, attend the May O&P meeting.
- Legislative visits to be made earlier in the day and topics to be discussed prior to the visits.
- The O&P meeting in Los Angeles will be a one-day meeting, between July 24-31, 2002.
- End of the year Commission dinner on Thursday, May 23, 2002.
- Commission Social Committee sent a condolence card to Dr. Betty Carr's family and a donation was sent to the Kathryn Dronenburg Fund for Reading.
- Inclusion of the private Commission directory in each monthly meeting folder.
- Letter to the Department's Conference Planning Unit requesting that Commission meeting sites be at union facilities instead of nonunion ones, and that facilities be in compliance with the Americans with Disabilities Act. A statewide, union hotel listing would be attached.
- Letters to be sent to the appointing bodies regarding filling Commission vacancies and expired positions with culturally diverse individuals.
- Commission copying policy: Commissioners may request copying, provided CDE staff is given reasonable lead time to provide the copies. Commission Chair to use discretion in providing copying services to speakers while observing Commission expense.

- Page 2 of the agenda to be revised to state: "Individuals wishing to provide public input to the Commission are requested to bring 50 copies of their presentation."

CHAIR REPORT

- Chair Hawkins reported she attended the President's Commission on Excellence in Education meeting in San Diego and gave testimony on foster youth and the need for a national health and education passport for foster youth. In addition, Chair Hawkins spoke about adequate funding and litigation.
- Chair Hawkins attended the Coalition for Adequate Funding meeting in Sacramento and a hearing at the state Capitol on AB 2093. The bill would allow federal funds to pass directly to school districts.
- Chair Hawkins will attend a meeting on foster youth in Sacramento on May 1, 2002.

LIAISON/COMMISSION REPORTS

Commissioner Catherine Conrado volunteered to attend the Coalition for Adequate Funding meeting in Sacramento on May 3, 2002.

Commissioner Woodhead reported he participated in a conference call meeting of the Reactor Group involving the Association of California School Administrators (ACSA), Special Education Local Plan Area (SELPA) directors, Nurses Association, CARS+, and California Association of School Psychologists (CASP), among others. In addition, he will participate in another conference call on May 3, 2002 and will report to the ACSE at its May meeting. The Commission was encouraged to participate in a summit of interested parties CASP will coordinate in mid July 2002.

Commissioner Woodhead submitted a revised copy of the Commission's goals and requested the Commission take action on it.

Commissioner Barbara Monroe reported that Commissioner Shirley Kaltenborn had undergone surgery and was recuperating very well at home.

In addition, Commissioner Monroe reported she attended the Charter Schools Commission meeting regarding determining the amount of funding charters schools receive.

Commissioner Monroe also stated the Nominating Committee, consisting of Patricia Flores-Charter, Linda Wyatt and Commissioner Monroe, met and recommended Commissioners Angela Hawkins as Chair and Allison Brightman as Vice-Chair for 2002-2003. The Commission will vote on the nominations at its May meeting.

Commissioner Patty Boyle reported two different letters were sent to the State Board of Education regarding the California High School Exit Exam.

Commissioner Janet Mangini reported the Careers to Work position would be reported on at the Commission's meeting in May.

Commissioner Linda Wyatt attended the Summit on Homelessness in Sacramento. The amount of homelessness incurred by foster youth was one revelation of the Summit. A state interagency task force met to address the problem.

Commissioner Karla Geller reported a letter supporting AB 2740 (Chan) had been sent.

Student Member Sean Rossall reported he met with representatives of the Youth Leadership Forum and they were accepting applications for volunteer staff. Mr. Rossall invited the Commission to attend the luncheon in mid summer. In addition, Mr. Rossall reported the Master Plan for Education Committee was writing the reports to be presented to the State Assembly and Senate.

REVIEW/APPROVAL OF FEBRUARY AND MARCH MINUTES

February Minutes

Page 2, last sentence: add "at the May meeting;" page 3, Special Education Division Report, first bullet "Down's" Syndrome; page 4, fourth bullet, second line, "physical" health care; page 4, CAPA: 3rd line, "will deal" with functional; page 5, 2nd line, "Debra Gravert," 5th bullet, June "Garbacz," 4th paragraph, delete last sentence; 3rd line, "with autism;" page 6, Commissioners' Discussion: ???; page 11, insert AB 1895.

March Minutes

Page 2, 2nd paragraph, 3rd line: "attack" instead of "attach;" 3rd paragraph, 2nd line: "March 20;" page 7, last sentence, "watch" bill instead of "support;" page 11, 2nd paragraph, delete "announced;" page 2, 2nd to last paragraph, add "Janet Mangini" after "Woodhead;" page 4, 4th paragraph, "schedule of SELPA;"

M/S/C 02-04-01

MOVE THAT THE MINUTES BE APPROVED AS CORRECTED.

Siegel/Mangini

STATE SPECIAL SCHOOLS DIVISION REPORT: Dr. Ronald Kadish, Director, State Special Schools Division, began by thanking Staff Liaison, Dennis Kelleher for his participation as liaison of the now completed task force on improving quality of education for blind and visually impaired students. On May 1, 2002, Dr. Kadish, Dr. Kelleher and State Superintendent of Public Instruction, Delaine Eastin will hold a press conference at the California School for the Blind, Fremont to announce the release of the final report and its recommendations. Members of the Blindness Task Force will also be in attendance. In addition, Senator Liz Figueroa, Assembly Member Dutra and the mayor of Fremont were invited. State Superintendent Eastin will give the opening Welcome Address.

In addition, the California School for the Deaf, Fremont will be hosting the annual convention of Educational Administrators of State Schools for the Deaf (EEASD) from April 26-29, 2002. Dr. Kadish stated the convention will include local education agency programs as well as a panel presentation of retired professionals from the deaf education field.

The Diagnostic Center, Fresno will be forming a partnership with Sanger Unified School District to assist in bilingual assessments.

The State Special Schools Division, under Nancy Sager's leadership was developing regulations required by the Individuals with Disabilities Education Act (IDEA) to develop standards for educational interpreters of the deaf. A stakeholder group was formed to develop recommendations. The regulations will be presented to the State Board of Education for approval on May 30, 2002. The Division requested \$1 million from the State Legislature, State Department of Finance and Governor to set up a satellite program for rural school sites through the community colleges for educational interpreter training statewide. The funding would also allow the field to submit grant applications to the CDE to provide training for their educational interpreters of the deaf. Dr. Kadish invited the Commission to write letters of support for this endeavor.

Dr. Kadish reported that Assemblyman Dutra was working on legislation to correct the discrepancy in annual teacher salaries between the State Special Schools and school districts. This year, the Department of Personnel Administration (DPA) provided an additional \$3,600/year to teaching staff at the State Special Schools.

Questions and discussion ensued.

TRAINING: Least Restrictive Environment, Dona Meinders, Project Coordinator, Least Restrictive Environment (LRE) Resources Project and Mary Falvey, LRE Task Force, described the Initiative's purpose, mandate, and the process involved in using self-assessment tools and distributed a packet detailing this and other information.

Purpose:

- To provide information, training and assistance to support the implementation of LRE in California.
- The training will provide an introduction to self-assessment tools.

Legal Mandate:

- Legal root to inclusive education
- Placement of students with disabilities in general education settings
- Clarification that special education is an array of services (not a place(s))
- Based upon students' needs not on disabilities
- Requirement that students attend schools as close to their home as possible

Process for using LRE self-assessment tools:

- Establish improvement team
- Conduct self-assessment using protocol
- Summarize using summary sheet
- Develop action plan
- Implement action plan

See handout

Commissioners separated into groups of two and worked through a draft of the California Least Restrictive Environment (LRE) Self-Assessment and Continuous Improvement Activities form.

The next training is scheduled on June 18-20, 2002. For additional information please contact Dona Meinders at dmeinde@WestEd.org or at 916-492-4013.

M/S/C 02-04-02

MOVE THAT WHILE THE ACSE APPLAUDS THE CALIFORNIA LRE INITIATIVE FOR ITS WORK SO FAR, IT EXPRESSES ITS CONCERN THAT THE CALIFORNIA LRE INITIATIVE IS NOT, AS CURRENTLY DRAFTED, SENSITIVE TO, INCLUSIVE OF, AND PROVIDES SUPPORT, RECOMMENDATIONS, AND RESOURCES FOR CHILDREN (THEIR PARENTS AND GUARDIANS) FOR WHOM THE LRE IS NOT THE REGULAR CLASSROOM AND THEREFORE CANNOT SUPPORT THE INITIATIVE AS CURRENTLY WRITTEN.

Siegel/Monroe

Rationale: The Initiative focused on only one of many continuums of placement options and was not consistent with law and education policy.

PUBLIC INPUT

Patty Arvin, Teacher, California Teachers Association, Vacaville, expressed concern regarding the lack of teacher participation in the LRE workgroup. In addition, Ms. Arvin requested that the LRE document state clearly that when a student left a general education class and went to an LRE somewhere else, that the LRE continue to be owned by the district.

Sue Kawasaki, California Association of Resources Teachers and Special Education Teachers (CARS+) President, stated CARS+ noted there was a trend toward eliminating options or blending education programs. As a result, class sizes increased and veteran teachers were leaving the field. In addition, Mrs. Kawasaki was concerned that portions of the LRE document had been implemented without regard to training, finance or support from the districts.

Mrs. Kawasaki distributed the CARS+ Spring 2002 Newsletter, which included CARS+ Full Inclusion Policy. In addition, Mrs. Kawasaki stated CARS+ continued to work on issues such as class size reduction, teacher recruitment and retention, standard based Individual Education Programs (IEPs), continuum of delivery services, alternative assessment, the California High School Exit Exam (CAHSEE), and tiered diplomas. This year, CARS+ instituted a "New Teacher" training for new special education teachers.

Commissioner Patty Boyle acknowledged the work CARS+ did at their convention for first-year teachers. In addition, Commissioner Boyle complimented CARS+ for their handbook on IEP goals based on standards.

Loeb Aronin, California Association of School Psychologists, Woodland Hills, reported to the Commission on his attendance at the President's Commission on Excellence in Special Education meeting in Westwood, California. Dr. Aronin expressed disappointment with the Commission since finance was their focus. Programs and student assistance were not part of the agenda. Dr. Aronin suggested the ACSE and other organizations intensify communication to the President's Commission regarding increased funding of IDEA and improved programs for children.

Nancy Grosz Sager, Consultant, California Department of Education, spoke to the Commission about educational interpreter standards. Mrs. Sager shared two proposals regarding regulatory language for education interpreters that will be heard at the State Board of Education meeting on May 30, 2002. In addition, Mrs. Sager distributed copies of the proposed funding that would provide \$1 million to the community colleges that provide a distance learning program and also to provide training for individual interpreters in Los Angeles.

M/S/C 02-04-03

MOVE THAT THE COMMISSION WRITE A LETTER SUPPORTING THE CALIFORNIA STATE BOARD OF EDUCATION'S POLICY IMPLEMENTATION ON EDUCATIONAL INTERPRETERS' QUALIFICATIONS BEFORE THEIR MAY 30TH BOARD MEETING

Garbacz/Monroe

Rationale: that the Advisory Commission supports the concept of adopting State Board regulations regarding Educational Interpreter Standards.

Ed Amundson, Representative, California Teachers Association, shared his thoughts with the ACSE on the President's Commission on Excellence in Education meeting. Mr. Amundson noted that a program called the "Safety Net" had been instituted in Washington that could be appealed to for expensive events. However, it was not clear whether the Finance Committee would fully fund at 40 percent and then create the safety pool. Mr. Amundson suggested the ACSE monitor the President's Commission activities and review their final report, due on May 30, 2002.

PANEL PRESENTATIONS: Critical Shortage of Special Education Personnel: Loeb Aronin, Past President, California Association of School Psychologists (CASP); Caryl Miller, Executive Director, Riverside County Special Education Local Plan Area (SELPA), and Association of California School Administrators (ACSA) Representative; Robert Powell, Director of Governmental Relations, California Speech and Hearing Association (CSHA); Cherri Tompkins, Field Director, Sacramento Field Office, California School Employees Association (CSEA), Thomas Huish, Registered Nurse, Fremont Unified School District, and Jan Jones-Wadsworth, Consultant, Commission on Teacher Credentialing (CTC), directed their comments to the following statements:

- A. The extent of shortage in the personnel area and impact of services to students
- B. Insights to reasons for shortages
- C. What their organization is doing to support personnel currently in the field.
- D. What their organization is doing to attract new personnel
- E. Suggestions regarding what the ACSE can do to help

Cherri Tompkins introduced Thomas Huish who gave a brief background of his experience. Mr. Huish has been a general education teacher in Fremont since 1970 and will retire this year. He has also been a registered nurse for the past twelve years.

Thomas Huish:

A. The extent of shortage in the personnel area and impact of services to students

There are 10 to 15 uncovered special education teaching positions on a daily basis. Parents were at times called to assist their children medically in the classrooms. Para-educators do not receive sufficient salary to support a family. Salaries range is \$12.76/hr. - \$18.48/hr.

B. Insights to reasons for shortages

Fremont School District offered the test for para-educators only twice a year. The oral exam is given one to two months after the written test and then people were put on a list. There was a lack of recruitment and no advertisement for positions.

C. What their organization is doing to support personnel currently in the field.

The California State Employees Association has provided support to the district in providing training for para-educators.

D. What their organization is doing to attract new personnel

Fremont district has been contacting community colleges that have programs in medical technology for students interested in specialized health care para-educator work. The district has also advertised in nursing publications. A tutoring program was instituted to assist people in passing the examination for para-educator.

E. Suggestions regarding what the ACSE can do to help.

The ACSE can help by making legislative contacts regarding the need for para-educators.

Dr. Loeb Aronin:

Dr. Aronin distributed a document entitled, "Critical Shortages of Special Education Personnel" and an informational brochure on California Association of School Psychologists (CASP).

A. The extent of shortage in the personnel area and impact of services to students

A ratio of one psychologist to 1,685 students was reported in the CDE's 2000-02 Fact Book. This resulted in significantly less time spent in areas such as working with children, meeting with parents, assessing students and attending IEP meetings.

B. Insights to reasons for shortages

Dr. Aronin stated possible factors were the age of current psychologists. There was a large group that had reached retirement age.

C. What their organization is doing to support personnel currently in the field.

School districts have been utilizing retirees on a part-time basis and hiring interns as well to accommodate the workload. In addition, more training programs were developed to assist district with staffing.

D. What their organization is doing to attract new personnel

CASP instituted a scholarship program for ethnic minority students. In addition, CASP frequently consulted with leaders of training programs; provided job placement services; provided support for first-second year psychologists; and sponsored staff development activities statewide. See Handout.

E. Suggestions regarding what the ACSE can do to help.

Dr. Aronin suggested the ACSE request that a Commissioner become a liaison to the California Department of Education's Counseling and Student Support Services Office study of Pupil Personnel Services in California. This study was established through AB 722 (Corbett). In addition, Dr. Aronin suggested the ACSE contact Jackie Holland at CDE. In conclusion, Dr. Aronin suggested the Commission support AB 2025 (Corbett) regarding support services.

Caryl Miller:

A. The extent of shortage in the personnel area and impact of services to students

Ms. Miller stated that between 1994-99, the California Teaching Credentialing Commission (CTC) issued 6,615 administrative credentials. The CTC issued 3,000 administrative credentials in 2001. Only thirty percent of those became administrators due to low pay, job satisfaction, stress and politics. Another survey revealed there were 20-30 applicants for every administrative opening ten years ago.

B. Insights to reasons for shortages

Currently, three to five applications are received for special education administrators in school districts. One concern regarded the 60-80 hours administrators typically work per week. Less than 25 percent of administrators are nonwhite and half of all administrators will have reached retirement age within the next ten years. Positions comprised of a multitude of tasks (compliance, reporting, curriculum assessment), and some administrators had been requested to drive school buses. Expectations included being instructional leaders to teachers, parents, students and the community. Salary compensation was low and many schools were operating programs before and after school hours. Federal and state education reforms increased administrator responsibilities and duties.

C. What their organization is doing to support personnel currently in the field.

The Association of California School Administrators (ACSA) developed various academies including a Pupil Services Academy, Superintendents Academy, Principals Academy, and Special Education Academy. The academies provide training for each of their respective roles.

D. What their organization is doing to attract new personnel

The ACSA published a booklet, "Recruitment & Retention of School Leaders: A Critical State Need," that included two focal points, 1) forming partnerships with colleges or other agencies, and 2) redesigning the administrative credential system. In addition, Ms. Miller participated in the SB 1748 Task Force Report that focused on shortages in areas of nursing and psychologists. The "EdCal," (Education California) newspaper, published every three weeks, included current job listings.

Special Education Local Plan Areas (SELPA) conduct monthly forums for new SELPA directors and provided mentors as well as a listserv, available statewide.

E. Suggestions regarding what the ACSE can do to help

Ms. Miller stated the Commission could help by keeping communication open. In addition, Ms. Miller requested a resource ACSA could contact to hire retired administrators.

Ms. Miller distributed a packet of resource information regarding special education to Commissioners that included a document entitled, "Retention of Special Education Professionals." This document was a guide for administrators and educators regarding strategies and activities for the classroom, school and district. In addition, the packet contained information on the number and type of teachers employed in special education, articles from the EdSource March 2001 Report, among other items. See handout

Robert Powell:

A. The extent of shortage in the personnel area and impact of services to students

Mr. Powell stated there were unmet Individualized Education Programs (IEPs) due to shortage of speech-language pathologists in California schools. There were a large number of children in special education, who could not progress very fast due to receiving minimal services. Veteran speech pathologists experienced burnout or new hires left within three to five years.

B. Insights to reasons for shortages

Speech pathology graduate students are not interested in school positions. Opportunities in hospitals, rehabilitation studies, long-term care and private practice have become more appealing to graduate students. The progress has not kept up with the increased need in personnel.

C. What their organization is doing to support personnel currently in the field.

Mr. Powell stated their organization formed partnerships with other organizations. They have requested and received funding. They have focused on working conditions and local labor contracts to stem the burnout and dropout rates. Continuing contact with the legislature has had positive results.

D. What their organization is doing to attract new personnel

This year SB1944 (O'Connell) was introduced by the Coalition of Specialists, which would create an education code definition of "teacher" that would include credentialed teachers and credentialed specialists. Schools needed to know there was a new category of paraprofessional that can work with indirect supervision.

E. Suggestions regarding what the ACSE can do to help

Mr. Powell stated the Commission needed to continue contacting the Legislature and having representatives from the various organizations speak to the Commission.

Ed Amundson:

A. The extent of shortage in the personnel area and impact of services to students

Mr. Amundson stated 30 percent of special education teachers operated under emergency credentials teaching class sizes and caseloads of up to 40 students. Issues impacting services to students included: Extra meetings and paperwork submitted with IEPs, insufficient teacher preparation time, excessive procedures that interfered with instruction, parental verbal attacks and parent advocates, inadequate resources to assist with student behavior, shortage of curriculum and instructional support, and intolerance for inclusion of disabled students in general education.

B. Insights to reasons for shortages

There has been insufficient training for teachers in all areas of special education and inadequate funding of mandated special education programs and lack of adequate personal development opportunities for support personnel.

C. What their organization is doing to support personnel currently in the field.

The California Teachers Association campaigned for increased funding for public education. CTA promoted Proposition 98, which established a solid funding basis. In addition, CTA supported AB 2093, bonds for school construction and sponsored legislation to assure specialized health care procedures for disabled students provided by credentialed school nurses, public health nurses or licensed physicians or surgeons.

D. What their organization is doing to attract new personnel

CTA is supportive of collective bargaining that maintains and protects teacher salaries, hours of employment and professional development. Many CTA locals throughout the state have negotiated special contract provisions that support and protect students and ensure program quality. CTA has encouraged high school and college students to pursue careers as public school teachers. In addition, CTA is working with SED and CARS+ to provide training.

E. Suggestions regarding what the ACSE can do to help

The workforce needed to be involved in developing SELPA plans. In addition, the recommendations made by the AB 602 workforce needed to be implemented.

Jan Jones-Wadsworth:

Mrs. Jones-Wadsworth introduced Phoebe Gillespie, Ph.D., Council for Exceptional Children, Arlington, Virginia. Dr. Gillespie is Recruitment/Retention Outreach Manager at the National Clearinghouse for Professions in Special Education. Dr. Gillespie assists state Departments of Education, higher education institutions and local school districts to collaborate with each other. Her project is a federally funded, technical assistance program under Part D, IDEA of the Office of Special Education Programs (OSEP).

In addition, Dr. Gillespie presented a model the Clearinghouse developed to assist states with recruitment preparation and retention from a workforce development perspective. Four areas of focus were: 1) support for teachers to acquire competency and satisfaction, 2) Conditions of the environment, 3) Curriculum processes support and 4) Recruitment to the field and classroom. Dr. Gillespie stated she would send a copy of this document to the Commission.

The Clearinghouse also produced three brochures: 1) "Available OSEP programs," 2) "Attributes of the teaching profession," and 3) "Special education environment." These may be ordered by calling 800-641-7824.

The Council for Exceptional Children formed a partnership with a premier Internet teacher recruitment service; teachers-teachers.com that includes listings for other professions as well. The available 46,000 educator résumés may be accessed at www.special-ed-careers.org on their web site.

Mrs. Jones-Wadsworth distributed a packet of information on: Proposed legislation the CTC is supporting, Beginning Teacher Support and Assessment (BTSA), Special Education Update, Institutions of Higher Education (IHE) Special Education Teacher Recruitment/Retention Work Group, information on colleges and universities with accredited education specialist credential programs. See Handout

A. The extent of shortage in the personnel area and impact of services to students

There are only two programs in California for people who are visually impaired. There were seven graduates in 2001. In addition, the average mild/moderate program for education specialists for a university had a maximum enrollment per class between 20-80 students.

B. Insights to reasons for shortages

People have not chosen the school administrator profession due to job complexity, demands, responsibilities and compensation.

C. What their organization is doing to support personnel currently in the field.

The CTC sponsored a bill that will provide alternate routes to the Tier 2 credential. This will encourage administrators to stay in their field and make it more appealing for others to enter the field. The CTC is supporting the following bills:

AB 2053 (Jackson) would allow teachers with general education experience to have BTSA/special education support.

AB 2616 (Lowenthal) would allocate \$1.5 million for teacher training programs for the visually impaired at San Francisco State University and Cal State, Los Angeles.

SB 2029 (Alarcon) would permit districts to implement an Education Specialist Internship program for Mild/Moderate, Moderate/Severe and/or Low Incidence disabilities.

D. What their organization is doing to attract new personnel

The CTC sponsored SB 57 and SB 299 (Scott) that focused on the shortage of public school teachers.

E. Suggestions regarding what the ACSE can do to help

Mrs. Jones-Wadsworth suggested the Commission contact the Joint Committee regarding inclusion of special education in the Master Plan for Education.

QUESTION AND ANSWER SESSION: Commissioners and Panelists:

Commissioner Woodhead asked how the 38 percent of teachers working on emergency permit compared with past history.

Jan Jones-Wadsworth stated factors contributing to the increase included class size reduction, increase in needed services for special education students, lack of accessibility in rural areas. There was a loss of more than 20 percent of professor positions (nationally) in special education. In addition, Mrs. Jones-Wadsworth stated CTC developed a pilot, "Project to Teach." The goal was that by

September 1, 2002, teachers with emergency permits in general and special education would no longer have to work with emergency permits.

Commissioner Siegel inquired how a response was generated that was commensurate with the crisis of teacher salaries.

Ed Amundson commented that regardless of the salary provided, if there is no support, professional development and professional requirements of teachers, it would not happen. Mr. Amundson stated professional development was the key to retention of teachers.

Cherri Tompkins commented federal assistance could be tapped as well as insurance companies for health services regarding loans for special education careers. She suggested reviewing the reauthorization process.

Jan Jones-Wadsworth stated that people who are close to 50 years old and change their careers to teaching and teach five years, have their social security decreased 40 percent if they were previously in the social security system.

Commissioner Patty Boyle stated the Los Angeles Unified School District (LAUSD) advertised to recruit 250 professionals from other fields to take a 5-year obligation to teach in disadvantaged schools within LAUSD. A radio station in Los Angeles set up time to hear oppositions to the advertisement and one of the oppositions dealt with the decrease in social security.

Commissioner Boyle questioned the absence of moderate/severe programs.

Mrs. Jones-Wadsworth stated there were 40 mild/moderate and 31 moderate/severe programs being offered at universities.

Chair Hawkins asked Tom Huish whether his program could be carried utilizing a Licensed Visiting Nurse (LVN).

Tom Huish stated that because of the Education Code, a registered nurse had to teach specialized physical health care. However, an LVN could work under direct supervision of a registered nurse. In addition, Mr. Huish stated an LVN could oversee the same type of program he had in collaboration with a registered nurse.

Chair Hawkins asked Loeb Aronin what would happen to school psychologists if the discrepancy model were eliminated.

Loeb Aronin stated that school psychologists needed to become more involved in questioning the success of the program, and what teachers did in terms of student progress. If the discrepancy model were eliminated, then it would be necessary to review the model and develop a more favorable one.

As there was no further business, the meeting adjourned at 5:15 p.m.

Friday, April 26, 2002

Commission Members Present

Patty Boyle	Catherine Conrado
Karla Geller	Angela Hawkins, Chair
Janet Mangini	Barbara Monroe
Jim Woodhead	Linda Wyatt

Commission Member Absent

Allison Brightman, Vice-Chair	Patricia Flores-Charter
Catherine E. Garbacz	Shirley Kaltenborn
Lawrence Siegel	

Student Members Present

Sean Rossall	Kevin Verdi
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Legislative Members Absent

Charles Poochigian, Senate Member	Fran Pavley, Assembly Member
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Governor's Office, Deputy of Education K-12, Liaison Absent

Lynn Lorber

State Board of Education Liaison Absent

Robert Abernethy

Department of Education Staff -Present

Dennis Kelleher, Staff Liaison	Yolanda Starr, Commission Secretary
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Department of Education Staff -Absent

Ronald S. Kadish, Director State Special Schools Division	Alice Parker, Executive Secretary Director, Special Education Division
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Friday, April 26, 2002

CALL TO ORDER

Chair Hawkins called the meeting to order at 8:40 a.m. Roll was taken and Commissioners Pledged Allegiance to the flag. Roll was taken and a quorum was present.

ANNOUNCEMENTS

Chair Hawkins read a letter of resignation, due to personal reasons, from Commissioner Julie Kennedy.

Chair Hawkins passed around a list of optional meeting days for Commissioners to choose for Commission meetings.

In addition, Chair Hawkins noted the following web site:

www.ed.gov/inits/commissionsboards/whspecialeducation/index.html for the President's Commission on Excellence in Education.

Commissioner Jim Woodhead requested the Commission finalize the Commission's Goals document. Discussion centered on revising the document.

Chair Hawkins announced the California state Parent Teachers Association (PTA) invited the Commission to attend their conference in Los Angeles with complimentary registration and display table on May 1-4, 2002. Commissioners were encouraged to attend.

The date for writing the annual report was set for June 19, 2002, 10:00 a.m. to 5:00 p.m.

In addition, the Commission's annual dinner will be at Il Fornaio, Sacramento, May 23, 2002, 6:30 p.m.

M/S/C 02-04-04

MOVE THAT THE COMMISSION APPROVE IN CONCEPT THE DOCUMENT CALLED, "MAJOR GOAL" SUBJECT TO EDITORIAL REVISION.

Woodhead/Monroe

Commissioner Woodhead requested that future agendas include time to discuss steps to accomplish the Commission's goals.

Chair Hawkins read a letter from the Joint Committee to Develop a Master Plan for Education inviting the Commission to submit concrete recommendations on policy issues about School Administrators' professional development. The deadline for submitting e-mail testimony was May 1, 2002.

Chair Hawkins also stated it had been decided that Commissioners designate on all motion forms regarding legislative letters, whether the letter is to be addressed to the bill's author as well as to the Chair of the Committee where the bill is located.

Student Member Report

Kevin Verdi reported he visited the Governor's Committee that sponsored the Youth Leadership Forum. Sixty-six delegates were chosen and he had been sworn for his second term as an adult member with the Orange County Juvenile Justice Commission.

Special Education Division Report: Dennis Kelleher, Staff Liaison, presented the report for Dr. Alice Parker who was in Washington, D.C. providing testimony at the President's Commission on Excellence in Education. Dr. Kelleher distributed two handouts: 1) a power point handout of his presentation and 2)

Dr. Parker's written testimony she was presenting to the President's Commission. The presentation covered: Steps to Develop Statewide Consensus, Components of Effective Administrative Supervision (monitoring), System of Overall Supervision and Monitoring. See Handout

Dr. Parker's testimony regarded the Special Education Division's experience with monitoring and communication about compliance issues, including the effectiveness of special conditions. In addition, there were recommendations regarding changes to clarify expectations, provide technical assistance and achieve results. See Handout

Report: Special Education Local Plan Area (SELPA) Activities, B. J. Ely, Tri-County SELPA Director spoke about SELPA's priorities. The following were of continued focus for the SELPA:

- Will be meeting with Department of Mental Health to review areas regarding reduced eligibility in mental health services for students.
- Local Plan work
- Reviewing service delivery options
- Compiling data regarding full funding of IDEA
- Recovery of attorneys' fees for due process reauthorization complaint process
- Definitions from the federal government in the reauthorization of IDEA

Ms. Ely stated she would mail SELPA's list of priorities to the Commission. In addition, Ms. Ely distributed a list of bills SELPA supported. See handout

Action Item: "California's State Policies and Procedures for Special Education-Application for FY 2002, Part B Federal Funds," Janet Canning, Consultant, California Department of Education distributed a handout: "State Board of Education April 2002 Agenda," that listed the Policies and Procedures application for Fiscal Year 2002, Part B, federal funds.

California is required to provide the U.S. Department of Education a copy of the state's policies and procedures and/or information to demonstrate compliance with IDEA 1997 and its implementing regulations. This set of eligibility documents meets this requirement and represents over 2 ½ years of work. A discussion followed the brief overview of the document. See Handout

Second Handout: Ms. Canning described "California's State Improvement Grant, Executive Summary (SIG)." The purpose of the SIG was to assist state education agencies and their partners to reform and improve their systems in providing educational, early intervention and transitional services. The initial grant (\$1,840,000) award period was from February 1, 1999 to January 31, 2000. Direct recipients of the grant include general and special education teachers/administrators, service providers, early intervention service providers and others. Grant funds are administered through a contract with Sonoma State University. See Handout.

In addition, Ms. Canning invited the Commission to attend the annual meeting of the Partnership Committee on Special Education on May 22, 2002.

Chair Hawkins presented Janet Canning with a plaque in appreciation of her work as Staff Liaison to the Commission.

**MOVE THAT THE COMMISSION RECOMMEND TO THE STATE BOARD OF
EDUCATION TO APPROVE THE POLICIES AND PROCEDURES APPLICATION
FOR FISCAL YEAR 2002, PART B, FEDERAL FUNDS.
Wyatt/Monroe**

Legislative Update: Paul Hinkle, Consultant, California Department of Education, reported that it is very likely that IDEA would not be reauthorized until 2003. The House Committee on Education and the Work Force Subcommittee on Reform met on April 18, 2002 and began a series of hearings on IDEA. The purpose of the hearings was to lay the groundwork for legislative action for reform and reauthorization. The reauthorization focus will be on funding, accountability, reduced paperwork, decreased misidentification, improved parental involvement, recruitment of special education teachers and discipline. In addition, the U.S. Senate Education Committee held a hearing on IDEA that focused on discipline. Full funding and discipline appear to be the key issues for members of Congress at this time. The IDEA reauthorization bills are targeted for release in July 2002.

Mr. Hinkle listed the following priorities of the U.S. Department of Education and the President's Commission on Excellence in Education:

- Reducing paperwork
- Shifting the culture of compliance from process to results
- Personnel preparation shortages
- Excessive litigation
- Maintaining alternative education services for disciplined students with disabilities
- Clearer and simpler IDEA language
- Better interagency coordination
- Effective transition services

The President's Commission is scheduled to release their preliminary findings by May 31, 2002 in Washington. The public will be able to give input to the recommendations. Mr. Hinkle shared some recommendations from public input to the President's meetings:

Mr. Hinkle said it has been reported that the Council for Exceptional Children (CEC) wants to create a pilot project to evaluate having educators draw up IEPs every three years rather than annually. The CEC says this would relieve teachers of a great amount of time they now spend preparing for meetings and doing paperwork. In addition, the National Council on Disability has suggested that the Department of

Justice should be funded to investigate and litigate IDEA noncompliance cases independent of the U.S. Department of Education.

Federal Legislation

There was no change in federal bills the ACSE was following. Two new bills were introduced:

H.R. 3912 (Kucinich) would establish a universal prekindergarten program. (Introduced March 7, 2002)
H.R. 3957 (Graham) would cancel loans to allow school systems to attract classroom teachers.
(Introduced March 13, 2002)

State Legislation

Mr. Hinkle shared an updated summary of provisions on AB 1859 (Papan), an omnibus special education bill. The two updated sections were: EC 56342 (Amend) and EC 56344 (Amend). There was no opposition to the bill in the Assembly Education Committee, and the bill was approved by that policy

committee on the Consent File. Mr. Hinkle suggested the Commission contact Kerry Mazzoni, Secretary for Education, Susan Kennedy, Governor's Cabinet Secretary and Senator Jack O'Connell for support of this bill. See Handout

In addition, Mr. Hinkle spoke to the Commission about SB 2012 (Margett), the Commission's sponsored bill, regarding special education interagency agreements. .

Legislative Update Highlights:

SB 2884 (Wiggins) would require health care service plans and disability insurers to provide coverage for hearing aids, as defined, to enrollees and subscribers to ensure it includes one hearing aid per ear up to one year or every 46 months.

AB 1818 (Assembly Committee on Education), a technical clean-up bill, will be amended on behavioral intervention plans and services provided.

AB 1895 (Wright) would prohibit school district or county office of education employees from taking action to discourage or prevent teachers from undertaking any reasonable action to assist parents or guardians in getting appropriate level of educational services needed for individuals with special needs. Mr. Hinkle suggested the Commission take a position on this bill.

AB 2093 (Dickerson) would limit, in the 2002-03 fiscal year and each fiscal year thereafter, the amount of federal funds that may be used in determining the amount of General Fund moneys that a special education local plan area may claim; and limits that amount to the amount of federal funds used in the calculation for the 2001-02 fiscal year.

AB 2600 (Pavley) would require the State Superintendent of Public Instruction, with the approval of the State Board of Education, to develop guidelines for the participation of children with disabilities in an alternative assessment to the high school exit exam for those children who cannot participate in the high school exit exam with accommodation or modification.

PUBLIC INPUT

There was no public input.

Action Items and Legislative Bill Assignments

Bill-Author	Description	Commissioner	Recommend
State Legislation Two-Year Bills			
AB 164-Harman	Special Education: Due Process Hearings.	Brightman	Support
AB 323-Pavley	Regarding juveniles who are eligible for special education and allows the Legislative Analyst to conduct a study and report be given to the Governor and Legislature before July 2002.	Hawkins	Support
AB 634-Wesson	Regarding minimum age of compulsory school attendance.	Geller	Watch
AB 688-Campbell	Developmental Disabilities	Brightman	Support
AB 886-Simitian	Parental authority: educational decisions	Conrado	Support
AB 925-Aroner	Employment of persons with disabilities.	Wyatt	Support
AB 1096-Wright	Pupil health-eye examinations.	Wyatt	Support

Bill-Author	Description	Commissioner	Recommend
AB 1818-Comm.on Educ.	Adopt regulations to provide assistance to certain activities and special education	Brightman	Watch
AB 1859-Papan	Special education pupil suspension expulsion	Conrado	Support
AB 1895-Wright	Teachers who cannot be sanctioned against by districts if they provide support to parents on special education issues	Boyle	Support
AB 2093-Dickerson	Special education: Funding	Monroe	Support
AB 2326-Frommer	Braille reading standards	Wyatt	Support
AB 2444-Dutra	The CDE to consider salaries for teachers, specialists, and administrators of state special schools competitive with those of similarly qualified employed at school districts	Mangini	Support
AB 2507-Pacheco, Rod	State Special Schools pupils	Hawkins	Watch
AB 2520-Bates	Special education funding	Hawkins	Watch
AB 2600-Pavley	Regarding assigning timeline to development of CAHSEE	Flores-Charter	Support, if amended
AB 2616-Lowenthal	Sponsored by the National Federation of the Blind of California. California State University to receive funds for training teachers of visually impaired pupils.	Flores-Charter	none yet
AB 2668-Zettel	Developing curricula to prevent injury of brain and spinal cord in grades 1 to 12.	Kaltenborn	Support
AB 2740-Chan	Developing a state mental health plan for children	Geller	Support
AB 2741-Chan	Children's school readiness and Health Council	Rossall	None yet
AB 2881-Chan	Pupil health screenings: pilot program	Wyatt	Support
AB 3035-Judic.Comm.	Access to government programs	Flores-Charter	None yet
SB 33-Soto	School parent compacts: Neil Soto Program:	Garbacz	Watch
SB 105-Burton	Services for the blind, visually impaired, deaf and hard of hearing	Garbacz	Support
SB 606-Vasconcellos	Pupil health screening of binocular function.	Flores-Charter	Support
SB 676-Poochigian	Charter Schools Special Education Plan Program	Kaltenborn	Watch
SB 789-Oller	Academic Performance Index	Conrado	Watch
SB 1096-Ortiz	Providing health care for children with disabilities	Kaltenborn	Watch
SB 1379-O'Connell	Clarify licensing authorization for speech-language pathologists to perform endoscopies	Mangini	Support
SB 1638-Scott	Provision of hearing aids to all enrollers and subscribers under 18 years of age	Garbacz	None yet
SB 1677-Alpert	Surrogate parents to make educational decisions for children if parents or guardians are not available	Brightman	Watch

Bill-Author	Description	Commissioner	Recommend
SB 1708-Poochigian	Charter schools to run extended year of instruction for special education students	Hawkins	Support
SB 1911-Ortiz	Identifying barriers to mental health for children covered by private health insurance.	Geller	None yet
SB 1944-O'Connell	Teacher credentialing	Boyle	Support
SB 2012-Margett	ACSE Sponsored bill: Parent information rights	Monroe	Support
SB 2884-Wiggins	Provisions to require health plans to provide hearing aids	Garbacz	None yet
U.S. Congress Bills			
H.R. 73-Jackson-Lee	Identifying and treating children with dyslexia.	Not assigned	Watch
H.C.R. 91-Smith	Increasing autism awareness.	Boyle	Support
H.R. 371-Rivers	Amendment of the (IDEA) on state grants	Wyatt	Watch
H.R. 651-Graves	Amendment of the IDEA for increased authority to discipline students.	Brightman	Oppose
H.R. 1500-Nussle	Amendment of the IDEA –uniform policies	Brightman	Oppose
H.R. 3912-Kucinich	Facilitate early detection of learning disability	Boyle	None yet
H.R. 3957-Graham	Canceling loans to allow school systems to attract classroom teachers	Boyle	None yet

M/S/C 02-04-06
MOVE THAT THE COMMISSION SUPPORT AB 1895 BY ASSEMBLYMAN WRIGHT.
Boyle

Rationale: It is important that educators are ensured that they can communicate their knowledge of the special education process to parents and guardians without fear of reprisals.

M/S/C 02-04-07
MOVE THAT THE COMMISSION SUPPORT AB 2326 BY ASSEMBLY MEMBER FROMMER.
Wyatt

M/S/C 02-04-08
MOVE THAT THE COMMISSION SUPPORT SB 1944 BY SENATOR O'CONNELL.
Boyle

Rationale: This bill would allow persons holding service credentials to benefit from state programs intended to benefit teachers.

As there was no further business, the meeting adjourned at 11:45 a.m.